

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

J. EZRA MERKIN; et al.,

Defendants.

SIPA LIQUIDATION

No. 08-01789

Adv. Pro. No. 09-1182 (SMB)

Refers to Dkt. No. 151

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by the undersigned counsel herein, that the time by which Defendants J. Ezra Merkin, Gabriel Capital Corporation, Gabriel Capital, L.P., Ariel Fund Limited, Ascot Fund Ltd., and Ascot Partners L.P. have to answer the Third Amended Complaint [Dkt. No. 151] is extended to February 5, 2015.

Dated: January 28, 2015  
New York, New York

REED SMITH LLP

By: /s/ James C. McCarroll

James C. McCarroll  
Jordan W. Siev  
Michael J. Venditto  
Casey D. Laffey

599 Lexington Avenue  
New York, NY 10022  
Telephone: (212) 521-5400  
Facsimile: (212) 521-5450

*Attorneys for Bart M. Schwartz as Receiver of  
Ariel Fund Limited and Gabriel Capital, L.P.*

Dated: January 28, 2015  
New York, New York

FULBRIGHT & JAWORSKI LLP

By: /s/ Judith A. Archer

Judith A. Archer  
David L. Barrack  
Jami Mills Vibbert  
David B. Schwartz

666 Fifth Avenue  
New York, NY 10103  
Telephone: (212) 318-3000  
Facsimile: (212) 318-3400

*Attorneys for Ascot Fund Ltd. and Ralph C.  
Dawson, Esq., as Receiver of Defendant Ascot  
Partners, L.P.*

Dated: January 28, 2015  
New York, New York

DECHERT LLP

By: /s/ Neil A. Steiner

Andrew J. Levander  
Neil A. Steiner

1095 Avenue of the Americas  
New York, NY 10036  
Telephone: (212) 698-3500  
Facsimile: (212) 698-3599

*Attorneys for Defendants  
J. Ezra Merkin and Gabriel Capital  
Corporation*

Dated: January 28, 2015  
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Lan Hoang

David J. Sheehan  
Lan Hoang  
Edward J. Jacobs  
Brian W. Song  
Sarah Jane T.C. Truong

45 Rockefeller Plaza  
New York, NY 10103  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201

*Attorneys for Plaintiff, Irving H. Picard,  
Trustee for the SIPA Liquidation of Bernard L.  
Madoff Investment Securities LLC and the  
Substantively Consolidated Estate of Bernard  
L. Madoff*

SO ORDERED:

Dated: January 28<sup>th</sup>, 2015  
New York, New York

/s/ STUART M. BERNSTEIN  
Stuart M. Bernstein  
United States Bankruptcy Court Judge